

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2012-090466

06/08/2012

HONORABLE JAMES P. BEENE

CLERK OF THE COURT

L. Mitchell

Deputy

IN RE THE MATTER OF  
CHRISTOPHER R BARBEE

JOHN G BEDNARZ

AND

SKYE L KNIGHT

SKYE L KNIGHT  
8101 E 5TH AVE  
MESA AZ 85208

AZ DEPARTMENT OF VITAL  
RECORDS  
CONCILIATION SERVICES-SE  
FINANCIAL SERVICES-BILLING-CCC

MINUTE ENTRY

Courtroom 405 - SEA

8:31 a.m. This is the time set for Resolution Management Conference. Petitioner, Christopher Barbee, is present and represented by counsel John G. Bednarz. Respondent/Mother, Skye L. Knight, is present on her own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held.

The parties stipulate in open court that Petitioner, Christopher R. Barbee, is the Father of the minor child.

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**THE COURT FINDS** that Christopher R. Barbee is the natural father of the minor child, Brooklynn Ma-Kay Robin Knight, born on April 20, 2010, to Skye L. Knight.

**IT IS ORDERED** declaring Christopher R. Barbee is the natural father of the minor child, Brooklynn Ma-Kay Robin Knight, with all rights and responsibilities for said child as ordered by the Court.

**IT IS FURTHER ORDERED** that a new birth certificate for the minor child shall be issued and/or amended or supplemented to reflect the true paternity of the child, if the name of the natural father does not now appear on the original certificate.

**IT IS FURTHER ORDERED** that the parties shall obtain an application to amend the birth certificate from the Office of Vital Records, Department of Health Services, 1818 W. Adams Street, Phoenix, AZ 85007, (602) 364-1300, and shall submit the application, along with a certified copy of this minute entry order, to the Office of Vital Records so that the birth certificate may be amended or supplemented, as ordered herein.

Discussion continues.

**IT IS ORDERED** the parties shall participate in a **Parenting Conference**. The parties will be advised by separate minute entry of the name and telephone number of the Parenting Conference Provider and other relevant information regarding the Parenting Conference. The parties shall comply with all instructions and directives issued by the Provider.

**IT IS FURTHER ORDERED** that the **\$300 per party** fee may be paid by each party in monthly installments of \$5.00 per month. Forms to request a fee deferral are available at the filing counter.

**WARNING**

**YOU WILL HAVE TO PAY A \$200 FEE IF YOU DO NOT ATTEND THE PARENTING CONFERENCE SESSION. IF YOU CANNOT ATTEND, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AND RECEIVE PERMISSION TO RESCHEDULE AT LEAST THREE FULL COURT DAYS BEFORE THE SESSION.**

**IF YOU REACH A FULL AGREEMENT ABOUT CUSTODY AND PARENTING TIME AND DO NOT PLAN TO COME TO THE PARENTING CONFERENCE SESSION, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AS SOON AS POSSIBLE OF THE SETTLEMENT TO AVOID PAYING THIS FEE.**

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**TEMPORARY ORDERS HEARING SET**

The Court has received and considered Petitioner/Mother's *Motion for Order to Show Cause re Temporary Orders* filed on September 29, 2010.

**IT IS ORDERED** setting **Temporary Orders Hearing** on **August 15, 2012 at 11:30 a.m.** (time allotted: 1/2 hour) before the Honorable Paul McMurdie at:

Maricopa County Superior Court  
Southeast Judicial District  
Courtroom 405  
222 E. Javelina Avenue  
Mesa, AZ 85210

**Due to the judicial rotation scheduled to occur in June, 2012, this represents a change in judicial assignment and both parties are on notice thereof in accordance with Rule 6 of the Arizona Rules of Family Law Procedure and Rule 42 of the Arizona Rules of Civil Procedure.**

Pursuant to Rule 77(B), Arizona Rules of Family Law Procedure, each party will be allowed one-half of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least thirty (30) days prior to trial setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

**IT IS FURTHER ORDERED** that the parties shall file and provide this Division with a copy of a Joint Pre-hearing Statement pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than **August 8, 2012**.

**IT IS FURTHER ORDERED** that the Joint Pre-hearing Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances.
2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.

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3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation by each party.

**IT IS FURTHER ORDERED** that the parties shall indicate in the Joint Pre-hearing Statement which exhibits they have agreed will be admissible at hearing as well as any specific objections that will be made to any exhibit if offered at hearing which is not agreed to be admitted. Reserving all objections to the time of hearing will not be permitted. At the time of hearing all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pre-hearing Statement shall be summarily admitted.

**IT IS FURTHER ORDERED** that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 71, Arizona Rules of Family Law Procedure and Local Rules 6.2(e) and 6.9(k), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

**IT IS FURTHER ORDERED** any evidence intended to be submitted as exhibits at the time of the Evidentiary Hearing must be brought to this Court's Clerk in Courtroom 405 **no later than 12:00 p.m. on August 8, 2012 with a coversheet listing the description of the exhibits.** All exhibits must be hand-delivered to Courtroom 405. The parties shall coordinate their exhibits so that each party does not present duplicate exhibits of the other party.

**NOTE:** If either party intends to offer as evidence the digital or electronic recording from a prior court proceeding, the party shall also provide to the Court a certified transcript of the recording, which shall be marked as an exhibit. The party seeking to offer the recording as evidence shall bear the cost for preparation of the transcription. If either party intends to offer documents as evidence that are in a language other than English, the Court shall be provided with an official certified translation of the documents.

**NOTICE**

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the Court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the Court will make conclusions of fact and law as part of the final decision.

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If any party asks the Court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure.

**IT IS ORDERED** with regard to discovery and disclosure requirements:

1. Both parties shall exchange updated disclosure statements required by Rules 49 and 50, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits on or before **July 16, 2012**.
2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed no later than **July 16, 2012**.
3. Counsel and both parties shall confer on or before **July 16, 2012** to conduct settlement discussions, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.
4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution/company or business/medical or health care provider/employer possessing any relevant information.

**IT IS ORDERED** setting this matter for Trial on **December 12, 2012 at 9:00 a.m.** allotted: 2 hours ) before the Honorable Paul McMurdie at:

Maricopa County Superior Court  
Southeast Judicial District  
Courtroom 405  
222 E. Javelina Avenue  
Mesa, AZ 85210

**Due to the judicial rotation scheduled to occur in June, 2012, this represents a change in judicial assignment and both parties are on notice thereof in accordance with Rule 6 of the Arizona Rules of Family Law Procedure and Rule 42 of the Arizona Rules of Civil Procedure.**

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**JOINT PRETRIAL STATEMENT**

**IT IS FURTHER ORDERED** that the parties shall file and provide this Division with a copy of a **Joint** Pretrial Statement pursuant to Rule 6.5, Local Rules of Practice – Maricopa County (Domestic Relations Cases), no later than December 5, 2012.

**IT IS FURTHER ORDERED** that both parties submit the following attachments to the Joint Pretrial Statement:

1. A current Affidavit of Financial Circumstances in accordance with Local Rule 6.4(b), accompanied by copies of federal income tax returns for the past two years along with W-2 or 1099 forms and copies of the last four pay stubs.
2. A current Parent's Worksheet for Child Support Amount pursuant to the Statewide Child Support Guidelines.
3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation.

**IT IS FURTHER ORDERED** that the failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 16(f), Arizona Rules of Civil Procedure, and Local Rule 6.6, including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

**EXHIBITS**

**IT IS FURTHER ORDERED** any evidence intended to be submitted as exhibits at the time of the Trial must be brought to this Court's Clerk in Courtroom 405 **no later than 12:00 p.m. on December 5, 2012 with a coversheet listing the description of the exhibits.** All exhibits must be hand-delivered to Courtroom 405. The parties shall coordinate their exhibits so that each party does not present duplicate exhibits of the other party.

**NOTE:** If either party intends to offer as evidence the digital or electronic recording from a prior court proceeding, the party shall also provide to the Court a certified transcript of the recording, which shall be marked as an exhibit. The party seeking to offer the recording as evidence shall bear the cost for preparation of the transcription. If either party intends to offer documents as evidence that are in a language other than English, the Court shall be provided with an official certified translation of the documents.

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**IT IS FURTHER ORDERED** that the parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits which the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

**NOTICE**

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the Court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the Court will make conclusions of fact and law as part of the final decision.

If any party asks the Court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

**SETTLEMENT**

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court in accordance with Rule XII(b), Uniform Rules of Practice, and Maricopa County Local Rules 2.10(b) and 3.6(c).

The Court notes that if either party fails to appear at trial, default judgment may be entered against him or her and/or the matter may proceed at that time to trial or to a default judgment hearing under Rule 55(b)(2).

**IT IS ORDERED** with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49 and 50, *Arizona Rules of Family Law Procedure*, including an exchange of all relevant information, documents and exhibits on or before November 12, 2012.

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2. All depositions and discovery contemplated by Rules 49 through 65, *Arizona Rules of Family Law Procedure*, shall be completed and any motions regarding discovery shall be filed no later than November 12, 2012.

3. Counsel and both parties shall personally meet, face to face, at least ten (10) days prior to trial to conduct settlement discussions, prepare a Joint Pre-trial Statement, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.

4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider or employer possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

8:39 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure (ARFLP).

Dated this 8<sup>th</sup> day of June, 2012.

/s/ James P. Beene

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HONORABLE JAMES P. BEENE  
JUDGE OF THE SUPERIOR COURT